

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HECTOR L. MANGUAL,
Plaintiff

v.

**THE CITY of WORCESTER, a municipal
corporation, WORCESTER CITY [sic]
WORCESTER CHIEF OF POLICE GARY
J. GEMME, DETECTIVE SGT. MATTHEW
EARLY, DET. MICHAEL HANLON,
DETECTIVE KELLEN SMITH, DET.
DANA RANDAL, LT. FRANCIS ASSAD,
Defendants.**

C.A. No.: 4:15-CV-40017-TSH

DEFENDANT FRANCIS ASSAD’S MOTION TO DISMISS COMPLAINT

Now comes defendant Francis Assad (hereafter and throughout “Assad”), by and through his undersigned counsel and pursuant to Rule 12 (b) (6) of the Federal Rules of Civil Procedure, and moves this Court to dismiss the various causes of action advanced against him based upon the plaintiff’s failure to state viable claims. As the bases for this request for brevis disposition, Assad respectfully refers the Court to the accompanying memorandum of law in support of this motion.

DEFENDANT FRANCIS ASSAD,
By his attorneys,

/s/ John K. Vigliotti
John K. Vigliotti, BBO #: 642337
Andrew Gambaccini, BBO#: 654690
Reardon, Joyce & Akerson, P.C.
4 Lancaster Terrace
Worcester, Massachusetts 01609
508.754.7285
jvigliotti@rja-law.com
agambaccini@rja-law.com

March 6, 2015

CERTIFICATE OF SERVICE

I hereby certify that the foregoing, filed through the Electronic Case Filing System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that a paper copy shall be served upon those indicated as non-registered participants on March 6, 2015.

/s/ John K. Vigliotti
John K. Vigliotti